

1  
2  
3  
4  
5  
6  
7  
8 SECURITIES AND EXCHANGE  
9 COMMISSION,

10 Plaintiff,

11 v.

12 ELON MUSK,

13 Defendant.

14 Case No. 23-mc-80253-LB

15 **DISCOVERY ORDER**

16 Re: ECF No. 1

17 The SEC has applied for an order compelling compliance with its administrative subpoena.  
18 (Appl. – ECF No. 1.) The court’s inquiry is narrow: the issues are (1) whether Congress has  
19 granted the authority to investigate, (2) whether the procedural requirements have been followed,  
20 and (3) whether the evidence is relevant and material to the investigation. *SEC v. Obioha*, No. 12-  
21 cv-80109-WHA, 2012 WL 4889286, at \*1 (N.D. Cal. Oct. 12, 2012) (quoting *EEOC v. Fed. Exp.*  
22 Corp.

., 558 F.3d 842, 848 (9th Cir. 2009).

23 In the *Obioha* case, the SEC filed proof of service on the docket. The court did not see service  
24 filed here and assumes that the SEC will file proof of service to flush out any objections.  
25 Ordinarily objections are due two weeks after service. The court then can issue a formal order.

26 **IT IS SO ORDERED.**

27 Dated: October 7, 2023

28   
LAUREL BEELER  
United States Magistrate Judge